

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JESSICA HERZFELD, on behalf of herself and
All others similarly situated,

Plaintiffs,

v.

1416 CHANCELLOR, INC., d/b/a THE GOLD
CLUB, and DOES 1 through 10, inclusive,

Defendants.

Case No.: 2:14-CV-04966-PD

Hon. Mark A. Kearney

**MOTION TO ADMIT MATTHEW J. HOFFER TO PRACTICE PRO HAC VICE
PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b)
AND CERTIFICATE OF SERVICE**

NOW COMES Pasquale J. Colavita, counsel for Defendant 1416 Chancellor, Inc., and pursuant to Local Rule of Civil Procedure 83.5.2(b) and the Policies and Procedures of the Honorable Mark A. Kearny ("Policies"), hereby moves the Court to enter an order admitting attorney Matthew J. Hoffer of Shafer & Associates, P.C., to practice pro hac vice. In support, Mr. Colavita states:

1. **Policies II(D)(1):** I am a member of the bar of the United States District Court for the Eastern District of Pennsylvania and am in good standing. My admission date is October 17, 1997, and my Attorney Identification Number is 76369. I have my entered my appearance herein on behalf of Defendant 1416 Chancellor, Inc.

2. My office address is 1026 Winter Street, Suite 300 B, Philadelphia, PA, 19107. My telephone number is 215-350-5300.

3. **Policies II(D)(2):** I hereby certify that I know (or after reasonable inquiry believe) that Mr. Hoffer is a member in good standing in the federal and state courts listed in his application and that Mr. Hoffer's private and personal character is good.


4. **Policies II(D)(3):** 1416 Chancellor and I sought out to retain Messers. Shafer and Hoffer to defend the current action because Mr. Shafer and Mr. Hoffer have 30 years' and 8 years' experience, respectively, representing similar defendant's against claims that defendants misclassified entertainers as independent contractors. Mr. Shafer and Mr. Hoffer have litigated such claims in federal courts, state courts, and various state agencies throughout the country. I am not aware of any other attorneys admitted to practice before this Court with similar knowledge and experience.

5. **Policies II(D)(3):** Opposing counsels have confirmed that they consent to the present motion.

6. I certify that this motion was on this date mail, with postage prepaid, to all interested counsel.

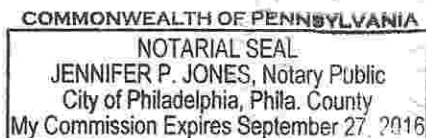
WHEREFORE, for the forgoing reasons, the undersigned respectfully requests that the Honorable Court enter and order permitting attorney Mr. Hoffer to practice pro hac vice.

Respectfully Submitted,



By: Pasquale J. Colavita
Pennsylvania ID No. 76369
1026 Winter Street, Suite 300 B
Philadelphia, PA 19107
Telephone: (215) 351-5300
Facsimile: (215) 440-7882
pjcolavita@verizon.net
Attorney for Defendant

Done: MARCH 31, 2015
Signed to and subscribed before me
this 31st day of MARCH, 2015.



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Hon. Mark A. Kearney

**APPLICATION AND DECLARATION OF MATTHEW J. HOFFER IN SUPPORT OF
MOTION TO ADMIT MATTHEW J. HOFFER TO PRACTICE PRO HAC VICE
PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b)**

MATTHEW JOSEPH HOFFER, in accordance with 28 U.S.C. § 1746, hereby states and declares as follows:

1. I am an attorney who is not currently admitted to either the bar of this Court or the bar of the Supreme Court of Pennsylvania, and I hereby apply for admission to practice in this Court pro hac vice pursuant to Local Rule of Civil Procedure 83.5.2(b). I make this declaration per Local Rule of Civil Procedure 83.5.2(b) and the Policies and Procedures ("Policies") of the Honorable Mark A. Kearney.

2. Check number 3260 in the amount of \$40.00 has been previously submitted for the admission fee.

3. **Policies II(D)(i):** I am currently admitted to practice and in good standing in the State of Michigan, where I was admitted on April 15, 2007, and am assigned attorney identification

number P70495. I am currently admitted to practice and am in good standing in the following federal jurisdictions:

TITLE OF COURT:

DATE OF ADMISSION:

| | |
|---|-------------------|
| United States District Court for the Eastern District of Michigan | January 15, 2009 |
| United States District Court for the Western District of Texas | December 7, 2010 |
| Supreme Court of the United States | February 23, 2011 |
| United States Court of Appeals for the Sixth Circuit | May 31, 2011 |
| United States District Court for the Western District of Michigan | January 13, 2012 |
| United States District Court District of Colorado | April 13, 2012 |
| United States District Court Northern District of Indiana | March 22, 2013 |
| United States Court of Appeal for the Seventh Circuit | November 5, 2014 |

4. **Policies II(D)(ii):** I am active and in good standing in all the foregoing courts with the exception of the United States District Court District of Colorado, where I am in good standing, but I understand I would need to pay a fee to return to the active roster.

5. **Policies II(D)(iii):** I have never been suspended form the practice of law in any jurisdiction or received any public reprimand by the highest disciplinary authority of any bar in which I am a member.

6. **Policies II(D)(iv):** I have read the most recent edition of the Pennsylvania Rules of Professional Conduct, as supplied by The Disciplinary Board of the Supreme Court of Pennsylvania website, and the Local Rule of this Court, as supplied by the Court's website. I agree to be bound by both sets of Rules for the duration of above-captioned matter.

7. **Policies II(D)(v):** If granted pro hac vice status, I will in good faith continue to advise counsel who has moved for my admission of the current status of this case and of all material developments herein.

8. I will demean myself as an attorney of this Court uprightly and according to law. I will support and defend the Constitution of the United States.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on March 30, 2015



Matthew J. Hoffer
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APPENDIX X

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JESSICA HERZFELD

v.

1416 Chancellor, Inc.

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:
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:
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CIVIL ACTION

NO. 2:14-cv-04966

ORDER

AND NOW, this Day of , 2015 , it is hereby

ORDERED that the application of Matthew J. Hoffer, Esquire, to practice in this
court pursuant to Local Rule of Civil Procedure 83.5.2(b) is

☒ GRANTED.

☐ DENIED.

J.